UNITED
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Security Council

Distr.
GENERAL

S/24510
2 September 1992
ENGLISH
ORIGINAL: ENGLISH/SPANISH

NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

Following consultations with the members of the Security Council, the President of the Council made the following statement, on behalf of the Council at its 3111th meeting, on 2 September 1992, in connection with the Council's consideration of the item entitled "Letter dated 28 August 1992 from the Secretary-General addressed to the President of the Security Council":

"The Security Council takes note with appreciation of the letter of the Secretary-General, dated 28 August 1992, conveying the documents of the London stage of the International Conference on the former Yugoslavia, held on 26 and 27 August 1992, which the Secretary-General co-chaired with the Prime Minister of the United Kingdom of Great Britain and Northern Ireland, President of the Council of Ministers of the European Community.

"The Council expresses its full support for the Statement of Principles adopted and the other agreements reached at the London Conference.

"The Council shares the Secretary-General's hope that the political will shown in London will speedily be transformed into the concrete actions foreseen in the documents of the London stage of the International Conference on the former Yugoslavia.

"The Council reaffirms all its previous resolutions related to the former Yugoslavia and calls for their complete implementation.

"The Council notes with satisfaction that the London stage of the International Conference has established the framework within which an overall political settlement of the crisis in the former Yugoslavia in all its aspects may be achieved through a continuous and uninterrupted effort.

"The Council welcomes the establishment, under the overall direction of the Permanent Co-Chairmen of the Conference, of the Steering Committee. It also welcomes the appointment of the two Co-Chairmen of

the Steering Committee who will direct the Working Groups and prepare the basis for a general settlement and associated measures. It notes with satisfaction that they will commence their work this week which will be pursued in continuous session at the United Nations Office in Geneva.

"The Council notes the commitments entered into by the parties and others concerned within the framework of the London Conference. It underlines the importance it attaches to the full implementation of these commitments as rapidly as possible.

"The Council notes the urgency of the situation in Bosnia and Herzegovina and calls on the parties to cooperate fully with the Co-Chairmen of the Steering Committee in achieving a comprehensive settlement.

"The Council requests the Secretary-General to keep it informed on an ongoing basis of developments and to make recommendations to the Council as may be appropriate."

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Security Council

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GENERAL

S/24511
2 September 1992
ENGLISH
ORIGINAL: ENGLISH/SPANISH

NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

Following consultations with the members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 3112th meeting, on 2 September 1992, in connection with the Council's consideration of the item entitled "Letter dated 24 August 1992 from the Secretary-General addressed to the President of the Security Council (S/24509)":

"The Security Council is deeply concerned at the current situation of the Inter-Agency Humanitarian Programme in Iraq, as outlined in the Secretary-General's letter of 24 August 1992 to the President of the Council (S/24509), including its reference to Iraq's failure to renew its Memorandum of Understanding with the United Nations.

"The Security Council recalls the statement of 17 July 1992 (S/24309), in which the Council expressed its profound concern at the deteriorating conditions affecting the safety and well-being of United Nations personnel in Iraq. The Council is particularly disturbed by Iraq's continuing failure to ensure the safety of United Nations personnel and the personnel of non-governmental organizations (NGOs).

"The Security Council expresses its concern regarding the conduct and statements of Iraq on the Inter-Agency Humanitarian Programme which are inconsistent with the previous Security Council resolutions that demand that Iraq cooperate with the international humanitarian organizations.

"The Security Council affirms that the critical humanitarian needs of vulnerable groups in Iraq require the speedy conclusion of arrangements that would ensure the continuation of the Inter-Agency Humanitarian Programme. In this respect, the Council considers unrestricted access throughout the country and the assurance of adequate security measures as essential prerequisites for the effective implementation of the programme. To this end, the Council fully endorses

the Secretary-General's insistence upon appropriate field offices for participating United Nations agencies and programmes and the continuing deployment of the United Nations Guards. The Council strongly supports the Secretary-General's continuing efforts to sustain a United Nations and NGO humanitarian presence throughout Iraq, and urges him to continue to use all resources at his disposal to help all those in need in Iraq. The Council urges Iraq in the strongest possible terms to cooperate with the United Nations."

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Security Council

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S/24512
3 September 1992

ORIGINAL: ENGLISH

REPORT BY THE SECRETARY-GENERAL CONCERNING THE CREDENTIALS OF THE ALTERNATE REPRESENTATIVE OF CHINA ON THE SECURITY COUNCIL

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a letter dated 26 August 1992 from the Permanent Representative of China to the United Nations stating that Mr. Zhang Yan has been appointed alternate representative of China on the Security Council.

In the opinion of the Secretary-General, this letter constitutes adequate provisional credentials.

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Security Council

Distr.
GENERAL

S/24513
3 September 1992

ORIGINAL: ENGLISH

LETTER DATED 2 SEPTEMBER 1992 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF THE ISLAMIC REPUBLIC OF IRAN TO
THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instructions from my Government, I have the honour to bring to your attention the following instances of violations by Iraq of the terms of the cease-fire between the two countries.

1. On 2 January 1992, at 1000 hours, 20 Iraqi forces deployed a machine-gun at the geographical coordinates of ND 404-111 on the map of Khosravi, north of border pillar 55/4.

2. On 6 January 1992, a number of Iraqi forces were observed constructing individual bunkers at the geographical coordinates of ND 405-102 on the map of Khosravi, south of border pillar 55/4.

3. On 6 January 1992, at 1050-1340 hours, an Iraqi loader was used for repairing a bridge at the geographical coordinates of PB 333-433 on the map of Tunnel mountain, south of border pillar 26/5.

4. On 7 January 1992, at 0835 hours, 10 Iraqi forces were observed constructing a bunker at the geographical coordinates of QA 08-92 on the map of Meimeh, south-east of border pillar 22/49.

5. On 10 January 1992, two groups of 10 and 15 Iraqi soldiers were observed constructing bunkers at the geographical coordinates of NC 682-241 on the map of Kani-Sheikh (border pillar 39/1) and at the geographical coordinates of ND 415-102 on the map of Khosravi (border pillar 55/1).

6. On 11 January 1992, at 0920 hours, an Iraqi loader was used for construction activity at the geographical coordinates of NC 420-650 on the map of Naft-Shahr.

7. On 11 January 1992, at 1000 hours, 15 Iraqi forces were observed digging a connecting trench at the geographical coordinates of ND 415-102 on the map of Khosravi around border pillar 55/1.

8. On 11 January 1992, at 0830-1620 hours, two Iraqi mechanical shovels were seen in activity at the geographical coordinates of PB 370-430 on the map of Tunnel mountain, west of border pillar 25/8.

9. On 12 January 1992, three Iraqi forces conducted observation at the geographical coordinates of NC 430-693 on the map of Naftshahr.

10. On 13 January 1992, at 1050 hours, Iraqi forces deployed a machine-gun at the geographical coordinates of NC 432-655 on the map of Naftshahr.

11. On 14 January 1992, 50 Iraqi forces were observed restoring a bunker at the geographical coordinates of ND 443-015 and digging a trench at the geographical coordinates of ND 414-085 on the map of Khosravi, north-west of border pillar 53 and west of border pillar 54.

12. On 16 January 1992, at 0800-1610 hours, two Iraqi mechanical shovels were used to restore a water trench at the geographical coordinates of PB 370-430 on the map of Tunnel mountain, west of border pillar 25/9.

13. On 17 January 1992, six Iraqi forces were seen moving at the geographical coordinates of QA 305-816 on the map of Nahr-Anbar, west of border pillar 22/30.

14. On 18 January 1992, 95 Iraqi forces were seen constructing bunkers and digging connecting trenches respectively at the geographical coordinates of NC 413-985, ND 379-079 and ND 417-035 on the map of Khosravi, south-west of border pillar 51, north-west of border pillar 35/4 and west of border pillar 53/1.

15. On 19 January 1992, at 0900-1600 hours, 50 Iraqi forces were observed restoring bunkers and digging trenches respectively at the geographical coordinates of ND 386-074 and ND 398-112, on the map of Khosravi, north-west of border pillar 53/4 and north-west of border pillar 55/4.

16. On 20 January 1992, 20 Iraqi forces were observed restoring bunkers and digging trenches respectively at the geographical coordinates of ND 401-022 and NC 413-985 on the map of Khosravi, west of border pillar 53/1 and south-west of border pillar 51.

17. On 23 January 1992, Iraqi forces aboard a vehicle moving from Kharatha to Khosravi, fired two illuminating bullets at the Allahdad sentry post at the geographical coordinates of NC 454-997 on the map of Khosravi around border pillar 51 in Chamzari region.

18. On 24 January 1992, 90 Iraqi forces were observed constructing bunkers and digging trenches respectively at the geographical coordinates of ND 415-032, ND 417-030, NC 416-985 and ND 386-074 on the map of Khosravi, north-west of border pillar 53, south-west of border pillar 51 and south-west of border pillar 54.

19. On 25 January 1992, at 1020 hours, an Iraqi loader was used to clean and open up a water trench at the geographical coordinates of PB 355-420 on the map of Tunnel mountain, south-west of border pillar 55/10.

20. On 26 January 1992, 10 Iraqi forces were observed digging a connecting trench at the geographical coordinates of ND 398-109 on the map of Khosravi, west of border pillar 55/3.

21. On 26 January 1992, a number of Iraqi forces deployed an anti-aircraft missile at the geographical coordinates of ND 376-106 on the map of Khosravi, west of border pillar 55/3.

22. On 27 January 1992, at 0700 hours, Iraqi forces deployed an anti-aircraft missile at the geographical coordinates of ND 386-074 on the map of Khosravi, north-west of border pillar 53/4.

23. On 29 January 1992, an Iraqi loader was seen in activity at the geographical coordinates of PB 355-420 on the map of Tunnel mountain, south of border pillar 52/11, east of Changouleh border river.

It would be highly appreciated if this letter were circulated as a document of the Security Council.

(Signed) M. Javad ZARIF
Ambassador
Deputy Permanent Representative

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Security Council

Distr.
GENERAL

S/24514
3 September 1992

ORIGINAL: ENGLISH

LETTER DATED 2 SEPTEMBER 1992 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instructions from my Government, I have the honour to bring to your attention the following instances of violations by Iraq of the terms of the cease-fire between the two countries.

1. On 17 January 1992, a connecting trench was dug by Iraqi forces at the geographical coordinates of 430-650 on the map of Naftshahr.

2. On 18 January 1992, Iraqi forces conducted observation and monitoring of the area at the geographical coordinates of 530-970 on the map of Kharatha.

3. On 18 January 1992, Iraqi forces conducted observation at the geographical coordinates of 432-655 on the map of Naftshahr.

4. On 21 January 1992, a bunker was constructed and a connecting channel was dug by Iraqi forces at the geographical coordinates of 402-108 on the map of Khosravi.

5. On 22 January 1992, at 0900-1600 hours, approximately 65 Iraqi forces were observed constructing bunkers and digging trenches at the geographical coordinates of ND 398-109 and ND 402-108 on the map of Khosravi, west of border pillar 55/3.

6. On 23 January 1992, 25 Iraqi forces were observed constructing a bunker and digging a connecting channel at the geographical coordinates of ND 416-098 on the map of Khosravi, north of border pillar 54.

7. On 25 January 1992, four Iraqi forces surveyed the area at the geographical coordinates of 072-689 on the map of Mehran.

8. On 4 February 1992, 60 Iraqi forces were seen digging a trench at the geographical coordinates of ND 404-111 on the map of Khosravi, west of border pillar 55/4.

9. On 13 February 1992, at 1000 hours, 20 Iraqi forces were seen at the geographical coordinates of NC 589-319 on the map of Kani-Sheikh, south-west of border pillar 40.

10. On 13 February 1992, at 1200 hours, four Iraqi forces were observed constructing a bunker at the geographical coordinates of NC 554-399 on the map of Sumar, south-west of border pillar 41.

11. On 13 February 1992, Iraqi forces surveyed the area at the geographical coordinates of 471-547 on the map of Sumar.

12. On 14 February 1992, Iraqi forces fired with small calibre weapons at the geographical coordinates of 533-245 on the map of Ghasr-Shirin.

13. On 14 February 1992, 12 Iraqi forces with two machine-guns were deployed at the geographical coordinates of 084-938 on the map of Meimeh.

14. On 17 February 1992, 12 Iraqi forces were stationed at the geographical coordinates of 391-414 on the map of Tunnel mountain.

It would be highly appreciated if this letter were circulated as a document of the Security Council.

(Signed) M. Javad ZARIF
Ambassador
Deputy Permanent Representative

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Security Council

Distr.
GENERAL

S/24515
3 September 1992
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 3 SEPTEMBER 1992 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF IRAQ TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government and further to our previous letters concerning the same question, I have the honour to inform you that Kuwait has committed further violations of the cease-fire. They are as follows:

1. On 4 April 1992, Kuwaiti coast guards confiscated a small Fiber-class craft, bearing the number 3526, which belonged to an Iraqi citizen, Mr. Taha Saleh Taha. According to reports, this craft is said currently to be at the Kuwait Yachting Club.

2. On 7 August 1992, at 0610 hours, elements stationed at the Kuwaiti outpost opposite the Um Kasr outpost, at the geographical coordinates of 728264, opened fire in the direction of Um Kasr and fired between 10 and 15 machine-gun rounds.

3. On 20 August 1992, at 1100 hours, three Kuwaiti armed vehicles approached within 300 metres of the farm of Mr. Jaber Khafian, at the geographical coordinates of 367315.

4. On 22 August 1992, at 2205 hours, Kuwaiti elements stationed at El Radka Kuwaiti outpost situated at the geographical coordinates of 321289, fired light and semi-heavy weapons several times in the direction of the Iraqi outpost El Radka, at the geographical coordinates of 263323.

5. On 24 August 1992, at 1000 hours, two Kuwaiti lorries, each carrying a caravan, were observed. They stopped at the geographical coordinates of 6023, where the caravans were unloaded.

6. On 30 August 1992, at 1430 hours, two Kuwaiti vehicles opened fire on a tractor belonging to Mr. Jaber Farhan Khafian, whose farm is at the geographical coordinates of 6431. Two United Nations vehicles were in the vicinity at the time of the incident. Two Kuwaiti officers, one a captain and the other a lieutenant, then got out of their vehicles, struck Mr. Khafian's son and prevented him from using his car.

The repeated acts of aggression committed by Kuwait are provocative. They are a flagrant violation of the cease-fire provisions as laid down in Security Council resolution 687 (1991), and they contravene the instructions applicable to the demilitarized zone.

The Government of the Republic of Iraq wishes to draw attention to the significance of this conduct. It lodges a strong protest about the shameless acts, which are aimed at undermining the integrity of Iraq and the security of its citizens and farms, and holds the Kuwaiti side fully liable for any consequences which may result from the above-mentioned violations.

I should be grateful if you would have the text of this letter circulated as an official document of the Security Council.

(Signed) Samir Kheiri AL-NIMA
Chargé d'affaires a.i.

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General Assembly Security Council

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GENERAL

A/47/418
S/24516
3 September 1992

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-seventh session
Item 98 (c) of the provisional agenda*

SECURITY COUNCIL
Forty-seventh year

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

The situation of human rights in the territory of the former Yugoslavia

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly and the Security Council the report on the situation of human rights in the territory of the former Yugoslavia prepared by Mr. Tadeusz Mazowiecki, Special Rapporteur of the Commission on Human Rights, in accordance with Commission resolution 1992/S-1/1 of 14 August 1992 and Economic and Social Council decision 1992/305 of 18 August 1992 (see annex).

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* A/47/150.

ANNEX

Report on the situation of human rights in the territory of the former Yugoslavia submitted by Mr. Tadeusz Mazowiecki, Special Rapporteur of the Commission on Human Rights, pursuant to paragraph 14 of Commission resolution 1992/S-1/1

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Introduction

1. At its first special session, the Commission on Human Rights adopted resolution 1992/S-1/1 on 14 August 1992 in which it requested its Chairman to appoint a special rapporteur to investigate first hand the human rights situation in the territory of the former Yugoslavia, in particular within Bosnia and Herzegovina, and to receive relevant, credible information on the human rights situation there from Governments, individuals, intergovernmental and non-governmental organizations, on a continuing basis, and to avail himself or herself of the assistance of existing mechanisms of the Commission on Human Rights.

2. The Special Rapporteur visited areas of interest in the former Yugoslavia, and in particular Bosnia and Herzegovina, from 21 to 26 August 1992 in order to report to the members of the Commission on Human Rights not later than 28 August 1992, in accordance with the request expressed in the resolution. Given the very limited time at the disposal of the Special Rapporteur, his first visit had to concentrate on the most urgent problems, notably the particularly dramatic situation in the Republic of Bosnia and Herzegovina. Under the circumstances, it was not possible to examine in depth all the human rights-related aspects of the tragic situation prevailing in that part of the former Yugoslavia. The present report therefore contains a diagnosis of the main problems on the basis of the evidence obtained during the mission, which has allowed the Special Rapporteur to understand the situation and to formulate recommendations.

3. The Special Rapporteur requested the Chairman of the Working Group on Arbitrary Detention, the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on the question of torture to accompany him on the mission. The Chairman of the Working Group on Arbitrary Detention, Mr. Louis Joinet, and the Special Rapporteur on extrajudicial, summary or arbitrary executions, Mr. Bacre W. Ndiaye, were in a position to accept his invitation. This enabled the mission to examine a number of situations at the same time and within the short period available, to visit more places and interview more people than would otherwise have been possible.

4. In accordance with established practice, the mission met with representatives of Governments and local authorities as well as intergovernmental and non-governmental organizations. It also received information from representatives of political parties and minority groups and met with religious dignitaries of various faiths. The mission interviewed a number of victims of human rights violations from all the ethnic groups concerned as well as witnesses to such violations, and spoke to ordinary citizens in the various places visited.

5. It should be noted that although the visit concentrated on Bosnia and Herzegovina it was not possible to visit all the areas of interest in that Republic, owing to difficulties of access to certain areas of conflict surrounded by combat zones. It is therefore the intention of the Special Rapporteur to include in future missions not only parts of the former Yugoslavia not yet visited but also to return to those areas of Bosnia and Herzegovina in which additional investigations will be necessary, in particular in connection with the problem of detention camps.

I. OBSERVATIONS CONCERNING THE SITUATION OF HUMAN RIGHTS IN THE AREAS VISITED

A. The policy of ethnic cleansing

6. Most of the territory of the former Yugoslavia, in particular Bosnia and Herzegovina, is at present the scene of massive and systematic violations of human rights, as well as serious grave violations of humanitarian law. Ethnic cleansing is the cause of most such violations.

1. Ethnic cleansing directed against Muslims and ethnic Croatians in the territories of Bosnia and Herzegovina and Croatia under the control of ethnic Serbs 1/

7. The Special Rapporteur was able to collect credible testimony concerning the policy of ethnic cleansing and the methods applied to achieve its aim. According to the testimony received, the policy has been openly pursued on the territory of those parts of Bosnia and Herzegovina and Croatia which are controlled by ethnic Serbs.

8. The methods used are illustrated by the testimony of a witness from Bosanska Dubica. According to the witness, the elected authorities who were moderates or who tried to prevent acts of violence were dismissed and replaced by Serbian extremists. Muslims, who represented the majority in Bosanska Dubica, and to a lesser extent Croatians were continuously subjected to harassment, discrimination and violence perpetrated by Serbian soldiers, Serbian mercenaries and even by some of their Serbian neighbours in the village. The witness described an incident in which Serbian soldiers from different villages boasted in her presence about the number of Muslims they had killed.

9. Several people, among them a boyfriend of the witness, were killed. Every night, during a curfew imposed from 10 p.m. to 5 a.m., houses were burnt. The mosque was also burnt down. A large number of people were arrested. Taken to the local police station for interrogation, they were either beaten and tortured by the police or forced to beat each other. Children from Muslim or Croatian families were refused treatment at the local hospital.

10. At the beginning of June, 200 men were arrested and taken to the detention camp in Manjaca. Among them were 10 Croatians, whom the Serbs had labelled "Muslim extremists". Reportedly, after the first visit by representatives of the International Committee of the Red Cross (ICRC) to the camp, the families in Bosanska Dubica received typewritten letters from their relatives stating that they were well.

1/ See annex II, "Observations concerning the parties in control of the territories visited".

11. Muslims who wanted to leave the village were allowed to do so only together with their entire family. The transfer of the refugees was organized by the local Red Cross, which cooperated closely with the local Serbian authorities. Before those willing to leave were permitted to do so, they were forced to sign documents stating that they would never come back. No reference was made in those documents to their possessions in the village, their houses in particular. The witness stated that they could either sell them at a ridiculous price or give the keys to the municipality for the duration of their absence which, after they had signed the above-mentioned documents, was supposedly for ever.

12. Indeed, a variety of methods are used to pursue ethnic cleansing. Ethnic Croatians and Muslims employed in the public sector have been fired because of their ethnic origin. The public sector is large in the former Yugoslavia, and tens of thousands of persons have been affected by such measures. In so far as persons employed in the private sector are concerned, evidence was received that the shops and businesses owned by ethnic Croatians have been burned or looted.

13. In territories controlled by ethnic Serbs, shooting during the night at homes belonging to members of other ethnic groups or throwing explosives into them are common forms of intimidation. One such incident occurred a few days before the arrival of the Special Rapporteur in Banja Luka. In the village of Celinac, 17 houses occupied by Muslim families were blown up in a single night, after reports were received that some soldiers from the village had been killed in combat. As a result, and since it would have been impossible to flee the region, some 650 Muslims sought refuge in a school. The ICRC had not yet been allowed to visit the school, and there was fear that the Muslims were in danger of starvation. During his interview with the authorities in the regional capital, some 15 kilometres from Celinac, the Special Rapporteur asked whether it would be possible to visit the school. Despite the fact that one of the authorities present was President of the Regional Executive Council and that there was no reason to think that the Muslim families were in custody, the Special Rapporteur was informed that it would not be possible to visit the school without the permission of the mayor of the village, who was said to be away visiting the battle-front. He was promised that the ICRC would be allowed access and to provide relief.

14. Another recent example brought to the attention of the Special Rapporteur concerned the displacement of some 1,000 Muslims from their homes in the town of Sanski Most, 28 kilometres from Banja Luka, the week before his visit. These persons were driven by the local authorities towards territory controlled by the Government of Bosnia and Herzegovina, but were left on their own inside Serbian-controlled territory. The ICRC does not assist in such forced evacuations, since it wishes to avoid cooperating in ethnic cleansing. Consequently, in order to reach a zone controlled by friendly forces, the victims of ethnic cleansing must cross through combat zones, at great risk to their life and safety.

15. Such tactics were also common in the Serbian-occupied areas of Croatia, especially prior to the deployment of the United Nations Protective Force (UNPROFOR). In the United Nations Protected Area (UNPA)-North the members of the mission saw one town which was almost completely destroyed and others

where the homes belonging to Muslims had been selectively destroyed by explosives. The use of such tactics has decreased thanks to the efforts of UNPROFOR to restrain the activities of the local militia, but the shootings and the bombing of homes continues in the UNPAs, although on a lesser scale, and the victims of ethnic cleansing continue to flee.

16. Attacks on churches and mosques is also part of the campaign of intimidation used to force Muslims and ethnic Croatians to flee Bosnian territory, and the mission saw places of worship bearing the marks of bullets and explosives during its trip to Banja Luka.

17. The siege, including the shelling of population centres and the cutting off of supplies of food and other essential goods, is another tactic used to force Muslims and ethnic Croatians to flee. The most dramatic and well-known case is Sarajevo, the capital of Bosnia and Herzegovina. The city is shelled on a regular basis, in what appears to be a deliberate attempt to spread terror among the population. Snipers shoot innocent civilians. The mission visited the hospital, and was able to see many civilian victims. It was also able to see the damage done to the hospital itself, which has been deliberately shelled on several occasions, despite the proper display of the internationally recognized Red Cross symbol. Cultural centres have also been targeted, leading some observers to the belief that the attacking forces are determined to "kill" the city itself, and the tradition of tolerance and inter-ethnic harmony which it represents.

18. The civilian population lives in a constant state of anxiety, leaving their homes or shelters only when necessary. Any movement out of doors is hazardous, and many persons and families spend long periods in isolation. The public systems for distribution of electrical power and water no longer function. Food and other basic necessities are scarce, and depend on the airlift organized by UNHCR and protected by UNPROFOR. UNPROFOR barracks and headquarters, as well as the airport itself, have been among the principal targets of the shelling. All three were attacked during the few hours that the mission was in Sarajevo. Delivery of such humanitarian supplies as do arrive is problematic. All inhabitants of the city are seriously affected by the fighting and the siege.

19. The Special Rapporteur also visited Vukovar, a city in eastern Croatia almost entirely destroyed by shelling during a siege which commenced in November 1991 during the attack on Croatia by the Yugoslav army. It is to be feared that the same fate may befall Sarajevo, unless action is taken to prevent the constant bombardment by mortars and artillery.

20. The city and region of Bihac, in north-west Bosnia, is also besieged by ethnic Serbian forces. Shelling occurs daily. There are no significant military targets in the city, and the main reason for the shelling appears to be that of terrorizing the civilian population. Fifty-one children have been killed there since the beginning of the war, according to the physician who is director of the hospital, and the hospital itself had been struck by shells on three occasions. Humanitarian convoys bring a limited amount of food and medicine to the town and carry some of those needing specialized medical care

to better equipped hospitals outside the region. However, the lack of certain medical supplies and the limited access to medical facilities constitute a grave threat to the health and lives of those in need.

21. The siege has also had a dramatic effect on the economy of the region, making this previously prosperous area dependent on food aid provided by the international community. A humanitarian worker interviewed in Bihac who had previously worked in Kurdistan said that the economic blockade of Bihac was "a hundred times worse" than the one in Kurdistan.

22. Other cities and regions in Bosnia and Herzegovina are reportedly in a similar situation.

23. The detention of civilians is clearly being used as a method of pressuring them to leave the territory. In many cases, after agreeing to leave, they are obliged to sign documents renouncing their claim to their homes and other property, or indicating that they agree to donate their property to the local government. Ethnic Serbs in Bosnia and Herzegovina have also adopted the policy of "exchanging prisoners". According to some impartial observers, the need to obtain ethnic Serbs to exchange against detained Muslims is one of the main reasons for arbitrary detention of ethnic Serbs in Bosnia and Herzegovina.

2. The situation elsewhere in Bosnia and Herzegovina

24. The Muslims have been accused of pursuing a deliberate policy of emptying the territory under their control of ethnic Serbs. Members of the mission were able to visit Bihac, a predominantly Muslim area under government control. The information obtained led to the conclusion that no policy which could be compared to ethnic cleansing is being applied in this region. Unfortunately, the visit of the mission to Sarajevo had to be terminated prematurely due to an intensification of attacks on United Nations forces stationed there, and it was not possible to visit other regions of central Bosnia under the control of the recognized Government. Consequently, it was not possible to verify whether the policy of tolerance observed in Bihac is common to other areas controlled by the Government of Bosnia and Herzegovina.

25. Some information was received that a policy of ethnic cleansing is being applied against ethnic Serbs and Muslims in an area of Bosnia and Herzegovina adjacent to southern Croatia, where the population is predominantly of Croatian origin. It was not possible to visit this area during the first mission, and thus not possible to investigate the situation prevailing there nor the extent to which this area is under the effective control of the recognized Government of Bosnia and Herzegovina. Efforts will be made to visit this area at the earliest opportunity.

3. The flight of ethnic Serbs from Croatia

26. Discrimination, harassment and maltreatment of ethnic Serbs are also serious and widespread problems in Croatia. These practices have resulted in the flight of a large number of ethnic Serbs to Serbia and to those parts of Croatia and Bosnia and Herzegovina under the control of ethnic Serbs.

27. The mission received copies of published lists of citizens of Croatia indicating their ethnic origin. These lists are widely distributed, and even available for sale to the public. The circulation of such lists facilitates discrimination and harassment throughout the society. Tens of thousands of persons have reportedly lost their jobs as a result. The mission was also informed that ethnic Serbs suffer discrimination in the exercise of their political rights, in education and in their right to a pension.

28. In a refugee camp near Belgrade, members of the mission interviewed a citizen of Croatia of Serbian origin who had been prosecuted for rebellion. After acquittal, he was denounced by the local radio as a "chetnic", that is, a member of the virulently anti-Croatian paramilitary group believed responsible for the commission of many atrocities against the civilian population. He considered this accusation to represent an implicit threat against his life and safety, and fled to Serbia, leaving his wife and children in Croatia.

29. In Croatia, the Chairman of the Working Group on Arbitrary Detention received evidence of the detention of large numbers of ethnic Serbs on charges of rebellion, often with no tangible evidence of real links to the unrecognized government of "Krajina" and the forces loyal to it. This practice, in effect, amounts to detention of the civilian population on the basis of their ethnic origin.

30. The importance of the human rights violations suffered by ethnic Serbs in Croatia cannot be underestimated or minimized. Nevertheless, the evidence available at this time suggests that the practices which have caused large numbers of Serbs to flee to Serbia and to parts of Croatia and Bosnia and Herzegovina under the control of ethnic Serbs, however repugnant, cannot be compared to the systematic use of violence employed against ethnic Croatians and Muslims in Bosnia and Herzegovina.

4. The situation in Serbia and Montenegro

31. The leadership of the Federal Republic of Yugoslavia, which comprises the Republics of Serbia and Montenegro, does not openly endorse the policy of ethnic cleansing. In a statement made to the Special Rapporteur, the President of the Federal Republic of Yugoslavia condemned ethnic cleansing. He also stated that the solution to the ethnic conflict in Bosnia and Herzegovina is "cantonization", which he defined as the establishment of ethnically mixed units within Bosnia and Herzegovina with reciprocal guarantees for the rights of ethnic Serbs, ethnic Croatians and Muslims. The President of Serbia also repudiated the policy of ethnic cleansing in statements to the Special Rapporteur. However, the Federal Republic of Yugoslavia and Serbia clearly exercise very great influence on the "Serbian Republic of Bosnia and Herzegovina" which, without their cooperation, would be completely cut off from the rest of the world. There is thus far no evidence that the Federal Republic of Yugoslavia and Serbia have taken effective measures to use their influence to put a stop to ethnic cleansing in Bosnia.

32. In addition, there is some evidence that ethnic cleansing may be imminent in certain parts of Serbia and Montenegro where there are large communities of persons not of Serbian origin. In Kosovo, where the population of Albanian origin has complained of discrimination and oppression for many years, non-governmental organizations presented evidence of an increasing number of torture and killings. In Vojvodina, in the north of Serbia, where there are large numbers of persons of Hungarian, Croatian and other origins, an increase in the harassment and intimidation of the non-Serbian population has been reported. Thousands of persons are already reported to be fleeing the region of Sandzac, on the border of Serbia and Montenegro, where the population is largely Muslim. It was not possible to visit any of these areas during the mission, and the Special Rapporteur intends to explore these aspects of his mandate further during future missions.

B. Other serious human rights violations

1. Detention

33. Detention has occurred in various contexts in the territories of the former Yugoslavia, including the war between Croatia and Serbia and Montenegro, the current conflict between various forces within Bosnia and Herzegovina and the continuing low-intensity conflict between the Croatian army and militias and the ethnic Serbs who occupy the UNPAs in Croatia. Nearly all the prisoners of war taken by both sides in the conflict between Croatia and Serbia and Montenegro have been exchanged. Within Bosnia and Herzegovina, an unknown number of true prisoners of war, i.e. combatants, are held by the various parties to the conflict. Civilians have also been detained in order to force them to leave their homes as part of the policy of ethnic cleansing, as indicated above.

34. At this stage, it is not possible to estimate the number of persons presently in detention, or the number who have been detained since the beginning of the conflict. Credible reports have been received concerning the use of unrecognized detention facilities containing from 10 to 100 prisoners, including homes, schools, disused factories and warehouses, sports facilities and the like. This practice has been reported in Croatia as well as in Bosnian territories under the control of the Government as well as territories under the control of ethnic Serbs. Increased use of this practice has been reported in Bosnian territories under the control of ethnic Serbs in recent weeks, since the issue of detention camps has come to the attention of international public opinion, in an apparent attempt to prevent access by international observers.

35. Although some prisons were visited, the mission was not able to visit any detention camps. This was due in part to the fact that few camps were located near the cities visited. The Special Rapporteur did, however, try to visit the military camp known as Manjaca, near Banja Luka, which is said to be the largest detention camp on Bosnian territory under the control of ethnic Serbs. The mission reached the camp and was informed by the officer in charge that 3,000 prisoners of war were currently being held there. The Special Rapporteur requested the officer in charge to grant permission to visit the prisoners but this was denied. The officer in charge stated that

the prisoners were "tired of being visited by international missions"; he then said that it was too late in the day for a visit, although it was more than an hour before sunset; finally he indicated that he could not allow the prisoners to be seen because the mission had not requested permission from the central authorities to enter the "Serbian Republic of Bosnia-Herzegovina". The treatment the Special Rapporteur received from the officer in charge gave him a vivid impression of the state of terror under which the detainees are presumably living.

36. Although the mission failed to see the prisoners in Manjaca camp, it was provided with information, including photos, by persons who had visited the camp a few weeks earlier. Many prisoners were in a poor state of health, with signs of malnutrition and in some cases torture. The Special Rapporteur has also been informed that a man detained at Manjaca camp who was recently taken to hospital weighed only 34 kilogrammes. Well-informed sources estimated that the number of prisoners was in all probability considerably higher than the official figures indicated.

37. Prisoners were also interviewed during the visit to the Bihac prison, in Bosnian territory under government control. No complaints of torture were received.

2. Executions

38. Many allegations of the systematic execution of prisoners by all parties were also received from Governments or other sources whose objectivity could not be confirmed. The only information received from an impartial source concerned allegations received by the Special Rapporteur on extrajudicial, summary or arbitrary executions of the systematic execution of prisoners in an area controlled by the White Eagles paramilitary group in north-eastern Bosnia. Access to this area is very difficult, and the allegations have not been proven.

39. There is credible evidence that some prisoners have died of torture and mistreatment in both Croatia and the various parts of Bosnia and Herzegovina, and at the present stage of this investigation it cannot be ruled out that executions may have been carried out systematically in other regions. However, many allegations of systematic execution - like allegations of the existence of large camps of detainees - have been investigated by the humanitarian bodies present in the territories, and proven false. A real threat to the lives of prisoners does exist, however, because of the poor nutrition, crowding and other substandard conditions of detention, in particular as the weather turns colder in the coming weeks and months.

40. The greatest threat to life at present comes from the shelling of civilian population centres and the shooting of civilians in besieged towns. In addition, there is a risk that massive numbers of civilians will die from malnutrition, illness and exposure unless the present siege of various areas of Bosnia and Herzegovina under government control is lifted before the arrival of winter.

3. Disappearances

41. The Special Rapporteur was also informed about the massive occurrence of disappearances in territories controlled by ethnic Serbs. Three thousand disappearances were reported to have occurred in the aftermath of the fall of Vukovar; it was alleged that these persons had been held for a certain period in camps and had subsequently disappeared.

4. Other violations

42. The Special Rapporteur has been informed of particularly grave incidents of physical abuse of Catholic priests and nuns by Serbian forces in the area of Banja Luka.

43. The President of the Working Group on Arbitrary Detention was able to visit Bjelovar prison, in Croatia, where he interviewed two prisoners who complained of torture after their capture on 5 August 1992. The methods of torture used included beatings, which caused broken teeth and ribs, electric shock, mock execution, burning with cigarettes and burning of the beard of one of the prisoners. They were tortured first by the local police and later, for a period of several days, by the military police. This member of the mission was allowed to examine the files of the prison which contained the records of prisoners who had arrived at the prison showing signs of torture. The relevant authorities have different attitudes towards such serious violations of human rights. It is to the credit of the Government that some prison officials duly register evidence of torture and provide all necessary medical care to victims of torture who come into their custody. However, UNPROFOR civilian police officials report that the Croatian police fail to cooperate in the investigation of such crimes, in which the police themselves are often involved.

C. Factors contributing to the violation of human rights

44. The Special Rapporteur noted with great concern the extent to which the population is armed, especially in the territory of Bosnia and Herzegovina under the control of ethnic Serbs. He was particularly disturbed by the pervasive presence of heavily armed men and women, in and out of uniform, in Banja Luka, despite the claim by local authorities that the area was "at peace". UNPROFOR military officials from many different countries as well as representatives of international humanitarian bodies repeatedly drew attention to the dangers inherent in having large numbers of persons assume military functions without adequate training, and without a proper command structure. The wide distribution of weapons among the population greatly facilitates the tactics used to terrorize people in order to promote ethnic cleansing, such as shooting at houses and blowing them up.

45. In Vukovar, UNPROFOR informed the mission of the difficulties they encountered in trying to implement an agreement that the so-called "civil defence units" would be disarmed. At first, their members were transformed into so-called "Special Police". When objections were raised the members of the Special Police became members of the ordinary police. This situation still prevailed at the time of the visit. According to UNPROFOR, only 10 to 15 per cent of the police force in Vukovar has any professional training for

this function. Incidents of intimidation (shooting of homes at night, or blowing them up) and more serious crimes, including killings by unknown persons, continue to occur with some regularity in this area. The UNPROFOR civilian police investigate such crimes and turn the evidence over to the local police for action. The failure of the local police to take effective action to investigate such reports is a serious problem affecting not only Vukovar, but also other UNPAs as well.

46. In effect, there appears to be a nearly total absence of the rule of law in both the UNPAs and in large parts of Bosnia and Herzegovina, with many decisions being taken on a purely ad hoc basis by local civilian or military authorities. A related problem has been reported in Vukovar, where the agreement establishing UNPROFOR provides that it is to respect the local law in force; however, the legislature of "Krajina" has adopted legislation which discriminates on the basis of ethnic origin, in violation of international standards.

47. Rumours and disinformation are not only widespread, they are a crucial element of the present situation in the former Yugoslavia, greatly contributing to ethnic hatred and fuelling the desire for revenge that is one of the main causes of the atrocities which occur. With rare exceptions, the national media in all of the countries visited tend to present news concerning the conflict and human rights violations in a manner which can only be described as distorted. Consequently, the general public has no access to reliable, objective sources of information. Among the international press, there is a tendancy to emphasize the most sensationalistic aspects of the situation, thus reinforcing the distrust and tension which prolong the conflict.

D. Difficulties affecting the functioning of humanitarian organizations

48. International organizations operating in the territories of the former Yugoslavia, especially Bosnia and Herzegovina, are faced with extraordinary difficulties. The greatest difficulties are undoubtedly experienced in Sarajevo, where UNPROFOR and UNHCR offices and vehicles frequently come under attack from shelling and snipers. The ICRC ceased operations in Sarajevo after one of its representatives was assassinated. Their absence has created a serious gap in the services offered to victims of the conflict in that area, including verification of conditions of detention, tracing of missing family members and the transmission of messages between prisoners and their families. Representatives of various humanitarian bodies indicated that, while the number of international humanitarian personnel killed thus far is small, there have been numerous incidents which might have ended tragically, especially in the areas of Bosnia under the control of ethnic Serbs. On several occasions, for example, the representatives of ICRC in Banja Luka and of the civilian administration of UNPROFOR in Vukovar were threatened by gunpoint.

49. The lack of clear lines of command, the absence of the rule of law and attitudes of distrust and hostility towards international organizations often lead to situations where extensive negotiations are required before humanitarian operations can be carried out, and where the implementation of routine humanitarian operations tends to meet with unexpected obstacles and

difficulties. The net result is to diminish the efficiency of such humanitarian bodies, reducing the benefit to the populations in need. In so far as visits to persons in detention are concerned, agreements allowing ICRC unrestricted access to any place of detention are not respected, especially in Bosnian territory under the control of ethnic Serbs.

50. In territories of Croatia and Bosnia and Herzegovina under the control of ethnic Serbs, international organizations have repeatedly encountered special difficulties in deciding whether or not they should compromise their principles in order to avoid tragic loss of life. The forces responsible for carrying out ethnic cleansing deliberately put such humanitarian bodies in the position of either becoming reluctant accomplices to ethnic cleansing, by helping move target groups out of the area being "cleansed" to an area of safety under the control of other parties, or leaving them to their fate which according to the circumstances, may be detention, starvation or the risk of summary execution.

E. Conclusions

51. Massive and grave violations of human rights are occurring throughout the territory of Bosnia and Herzegovina.

52. Human rights violations are being perpetrated by all parties to the conflicts. There are also victims on all sides. However, the situation of the Muslim population is particularly tragic: they feel that they are threatened with extermination.

53. Acts of violence are tolerated and often even encouraged by responsible authorities. Consequently, the rule of law does not exist.

54. The situation of people being detained in camps and staying in refugee centres is particularly dramatic.

55. The indoctrination of a large part of the population that is taking place encourages national and religious hatred.

56. In spite of the high level of commitment of the United Nations personnel - UNPROFOR and UNHCR - they are unable adequately to protect the affected population and in many circumstances are helpless to prevent violations of human rights.

57. There is an urgent need for immediate concerted action. Even when peace is achieved, serious violations of human rights are likely to continue due to the intensity of mutual distrust and hatred.

II. RECOMMENDATIONS

I.

58. The heavy weaponry on the territory of Bosnia and Herzegovina should immediately be neutralized, by grouping them under the supervision of UNPROFOR if necessary. The strict implementation of agreements adopted and the principles endorsed by the London Conference in this regard is indispensable.

59. The United Nations should call upon the authorities controlling the different parts of the territory of Bosnia and Herzegovina to disarm the irregular armed forces and civilians. This should be supervised by UNPROFOR.

60. The United Nations should, without delay, issue a peremptory warning to the authorities controlling the different parts of the territory of Bosnia and Herzegovina that, with respect to their duty to safeguard the security of the civilian population, they may, in accordance with the norms and standards of international law, be brought to justice not only for the direct perpetration but also for the toleration of acts of atrocity, violence and other violations of human rights.

II.

61. The United Nations should continue firmly to call upon the competent authorities to abandon the policy of ethnic cleansing in all its forms. Every victim of this policy should be guaranteed the possibility of claiming his/her rights under international supervision. This should also be the case in regard to those persons who have been forced to consent to "voluntary" displacement. No norms or decisions issued by the authorities conducting the policy of ethnic cleansing can make this policy and its consequences legal.

62. There is a real possibility that the most violent forms of the policy of ethnic cleansing will spread to Kosovo, Sandzak and Vojvodina. This danger requires the immediate creation of an international mechanism to monitor the human rights situation on those territories. It would be highly advisable to secure the cooperation of the Conference on Security and Cooperation in Europe in this respect.

III.

63. It is indispensable not only to increase the size of UNPROFOR but also to expand its mandate in three areas. First, the mandate should cover the whole territory of Bosnia and Herzegovina; second, UNPROFOR personnel should have the right to react directly to the human rights violations committed in their presence and to assist the victims; third, UNPROFOR personnel should be given the mandate to collect information and receive complaints concerning human rights violations occurring also on the territories which at present are not covered by UNPROFOR's mandate. This should include access by the UNPROFOR civilian police to places of detention. Their findings should be communicated not only to the local police but also to the competent judicial authorities.

IV.

64. The situation of persons detained in camps and remaining in centres for refugees requires prompt action. ICRC should be granted full access to all detention camps and centres, regardless of their size.

65. The full implementation of the principles endorsed and agreements adopted by the London Conference in regard to the dismantling of internment camps is necessary. However, obstacles preventing the return of the persons released from the camps to their homes must not lead to the consolidation of the situation resulting from the policy of ethnic cleansing.

V.

66. The United Nations agencies and the International Committee of the Red Cross should reinforce the efficiency of the system of information on the fate of persons who have been forcibly separated from their families. Particular care must be taken of children whose parents have been killed or who have been separated from their parents.

67. There is an urgent need to establish an investigative commission, under the auspices and in cooperation with the competent United Nations bodies, vested with the task of determining the fate of the thousands of persons who disappeared after the seizure of Vukovar as well as of other persons who disappeared during the conflicts in the former Yugoslavia. The Working Group on Enforced or Involuntary Disappearances of the Commission on Human Rights may be called upon to advise and assist in this regard.

VI.

68. The establishment of an information agency independent of local authorities might help to counteract the dissemination of hatred among the population. This agency should be granted the means to operate effectively throughout the territory of the former Yugoslavia. An appeal for funds for this purpose should be made to the European Governments and other potential donors. In view of the need for long-term re-education efforts, the parties to the conflict should be obliged to ensure that the proposed agency is provided with appropriate radio and television time in Belgrade, Zagreb and Sarajevo. The proposed agency should also be able to support local media, providing that they disseminate objective information and operate in a manner so as to encourage the creation of mutual confidence between national and religious communities.

VII.

69. The need to prosecute those responsible for mass and flagrant human rights violations and for breaches of international humanitarian law and to deter future violators requires the systematic collection of documentation on such crimes and of personal data concerning those responsible.

70. A commission should be created to assess and further investigate specific cases in which prosecution may be warranted. This information should include data already collected by various entities within the United Nations system, by other intergovernmental organizations and by non-governmental organizations.

VIII.

71. The multiplicity of international activities aimed at bringing conflict and human rights violations in the former Yugoslavia to an end limits the efficiency of such efforts. Consequently, there is an urgent need for concerted international action to improve the fate of victims of human rights violations. The decisions of the London Conference, in particular the creation of the Steering Committee, is a step in this direction. Better coordination among the various United Nations agencies and bodies would also contribute to improving the efficiency of such international efforts.

72. Further implementation of the mandate of the Special Rapporteur requires the appointment of staff based in the territories of the former Yugoslavia, in order to coordinate the monitoring of human rights violations together with the other United Nations bodies mentioned above, and the creation of an adequate professional and logistical infrastructure within the Centre for Human Rights. It also requires the establishment of a working relationship with other multilateral initiatives, in particular the above-mentioned Steering Committee.

73. An urgent decision approving the creation of such an infrastructure is indispensable for the effective implementation of the mandate given the Special Rapporteur by the Commission on Human Rights. The Special Rapporteur will keep the Commission informed in this regard.

Annex I

PROGRAMME OF THE VISIT OF THE SPECIAL RAPPORTEUR ON THE HUMAN RIGHTS SITUATION IN THE TERRITORY OF THE FORMER YUGOSLAVIA

Friday, 21 August 1992

Arrival at Zagreb.

Meetings with UNPROFOR and UNHCR.

Meeting with the Vice-President of Croatia and Members of the Croatian Government.

Meeting with representatives of non-governmental organizations.

Saturday, 22 August 1992

Meeting by the Special Rapporteur in Zagreb with victims and witnesses of human rights violations.

Visit by the Special Rapporteur to Varazdin refugee camp to meet newly arrived refugees from Bosnia and Herzegovina.

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Meeting by the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Chairman of the Working Group on Arbitrary Detention with authorities of the Government of Bosnia and Herzegovina in Bihac.

Meeting by the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Chairman of the Working Group on Arbitrary Detention with representatives of ICRC and UNHCR in Bihac.

Visit by the Chairman of the Working Group on Arbitrary Detention to Bihac prison and interview of prisoners.

Sunday, 23 August 1992

Visit by the Special Rapporteur to Banja Luka (Bosnia and Herzegovina) and meeting with local authorities of the "Serbian Republic of Bosnia and Herzegovina".

Meeting by the Special Rapporteur with representatives of ICRC in Banja Luka.

Visit by the Special Rapporteur to Manjaca military detention camp.

Meeting by the Special Rapporteur with religious dignitaries in Banja Luka.

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Meeting by the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Chairman of the Working Group on Arbitrary Detention with the UNPROFOR civil affairs coordinator for UNPA-West.

Visit by the Special Rapporteur on extrajudicial, summary or arbitrary executions to Karlovac refugee camp and interview with witnesses from Bosnia and Herzegovina.

Visit by the Chairman of the Working Group on Arbitrary Detention to Bjelovar prison (Croatia) and interviews with prisoners and prison officials.

Monday, 24 August 1992

Visit to Sarajevo and meeting with the President of Bosnia and Herzegovina and members of the Government.

Meeting with local non-governmental organizations.

Visit by the Special Rapporteur to the State Hospital at Sarajevo.

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Meeting by the Special Rapporteur with the President of Croatia.

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Meeting by the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Chairman of the Working Group on Arbitrary Detention with UNPROFOR officials in Sarajevo.

Tuesday, 25 August 1992

Visit by the Special Rapporteur and the Special Rapporteur on extrajudicial, summary or arbitrary executions to Belgrade.

Meeting with the President of the Federal Republic of Yugoslavia and members of the Government.

Meeting by the Special Rapporteur with the President of Serbia.

Meeting by the Special Rapporteur with political leaders of the "Serbian Republic of Bosnia and Herzegovina".

Meeting with representatives of UNHCR and ICRC.

Meeting by the Special Rapporteur with leaders of opposition parties and representatives of ethnic groups from Kosovo, Vojvodina and Sandzac.

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Visit of the Special Rapporteur on extrajudicial, summary or arbitrary executions to a refugee camp near Belgrade.

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Meeting of the Chairman of the Working Group on Arbitrary Detention with members of the UNPROFOR civilian administration, civilian police and press officers in Zagreb.

Meeting of the Chairman of the Working Group on Arbitrary Detention with a Croatian judge in Bjelovar.

Meeting of the Chairman of the Working Group on Arbitrary Detention with representatives of the European Community Monitoring Mission Humanitarian Office in Zagreb.

Wednesday, 26 August 1992

Visit by the Special Rapporteur and the Special Rapporteur on extrajudicial, summary or arbitrary executions to Vukovar, UNPA-East.

Meetings with UNPROFOR staff (Vukovar).

Visit to the market of Vukovar, conversations with the population.

Meeting with local authorities of the "Serbian Republic of Krajina" in Vukovar.

* * *

Meeting by the Special Rapporteur on extrajudicial, summary or arbitrary executions with displaced Croatians near Vukovar.

* * *

Meeting by the Chairman of the Working Group on Arbitrary Detention with representatives of ICRC in Zagreb.

Departure for Geneva.

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The Special Rapporteur wishes to thank the Chairman of the Working Group on Arbitrary Detention, Mr. L. Joinet, and the Special Rapporteur on extrajudicial, summary or arbitrary executions, Mr. B.W. Ndiaye. He also wishes to express his thanks to UNPROFOR without whose logistical assistance it would not have been possible to visit so many different places in the area, to UNHCR for having facilitated meetings with local authorities outside areas controlled by UNPROFOR, and to ICRC.

Annex II

OBSERVATIONS CONCERNING THE PARTIES IN CONTROL OF THE TERRITORIES VISITED

Three separate regions are under the control of the Government of Bosnia and Herzegovina, namely, part of the capital, Sarajevo; the region known as Bihac, adjacent to the border with Croatia in north-west Bosnia; and parts of central Bosnia and Herzegovina.

Much of the territory of Bosnia and Herzegovina is not under the control of the recognized Government. Most observers agree that the "Serbian Republic of Bosnia and Herzegovina", an unrecognized government proclaimed when Bosnia and Herzegovina declared its independence from Yugoslavia against the wishes of the Serbian population, controls between 50 and 70 per cent of the territory. The headquarters of the "Serbian Republic of Bosnia and Herzegovina" is located in the city of Pale, a short distance from Sarajevo, the besieged capital of Bosnia and Herzegovina. It is comprised of four "autonomous regions", one of which, Banja Luka, was visited by the Special Rapporteur. According to the information received, the law applied within the "Serbian Republic of Bosnia and Herzegovina" is the law of the Federal Republic of Yugoslavia, as modified by the local legislatures. There is wide agreement that the Governments of the Federal Republic of Yugoslavia and of Serbia exercise considerable influence over the leadership of the ethnic Serbs of Bosnia and Herzegovina. There is also some evidence that the "Serbian Republic of Bosnia and Herzegovina" does not completely control all parts of Bosnia and Herzegovina in the hands of ethnic Serbs, in particular the so-called Serbian Autonomous Republic, a region in the north-eastern corner controlled by a paramilitary group called the White Eagles under the leadership of a person known by the nom de guerre of "Mauzer".

Approximately one third of the territory of Croatia is under the control of ethnic Serbs, rather than the Government of Croatia. The civilian authorities in these areas claim to form what is known as the "Serbian Republic of Krajina", an unrecognized government, and militia forces loyal to the "Serbian Republic of Krajina" control these areas. Since April 1992 these areas are under the protection of the United Nations Protective Force (UNPROFOR), which strives to control the activities of the militia. Civilian police officials attached to UNPROFOR also investigate human rights abuses, turning the information obtained over to the local police for action.

In addition to the Croatian army, two militias operate in Croatia. One, known by the acronym HOS, is the military wing of a political party known as the Croatian Right Party whose ideology is openly fascist. Although the party received only a small number of votes in recent elections, the HOS militia is reportedly large. Some observers consider that some of the most serious violations of the human rights of ethnic Serbs reported in Croatia are due to this militia.

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General Assembly Security Council

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3 September 1992

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GENERAL ASSEMBLY
Forty-sixth session
Agenda item 150
THE SITUATION IN BOSNIA
AND HERZEGOVINA

SECURITY COUNCIL
Forty-seventh year

Letter dated 2 September 1992 from the President of the General Assembly to the President of the Security Council

Last week, the General Assembly held a two-day debate on the situation in Bosnia and Herzegovina, in which a large number of Member States from all the regional groups participated, resulting in the adoption of General Assembly resolution 46/242 on 25 August 1992 by an overwhelming majority.

In this regard, I consider it my duty to put on record and convey to Your Excellency, and to the distinguished members of the Security Council, my impressions of the prevailing view in the General Assembly, as reflected in its resolution 46/242 and in the statements of a majority of Member States (which I am sure you are also aware of as members of the General Assembly), and of the discussions I had with many Ambassadors, which I wish to summarize as follows:

1. While commending the role being played by the Secretary-General, the Security Council, the United Nations Protection Force, and other United Nations agencies, it was generally felt that much more ought to be done and can be done by the United Nations as a whole to find an urgent solution to the situation in Bosnia and Herzegovina, to safeguard its sovereignty, territorial integrity, political independence and national unity, to put an end to the fighting and to the grave violations of international humanitarian law there.

The above is particularly reflected in preambular paragraphs 7, 11, 12, 14, 15, 18 and 19, as well as in paragraph 5 of General Assembly resolution 46/242.

2. Paragraph 4 of General Assembly resolution 46/242 reaffirms the right of the Republic of Bosnia and Herzegovina to self-defence. And it was generally felt by a great number of the members as expressed in their statements in the Assembly and in their direct discussions with me that the arms embargo precluded Bosnia and Herzegovina's inherent right of self-defence under Article 51 of the Charter of the United Nations, and that action should be taken to rectify this.

The above is particularly reflected in preambular paragraph 17 and paragraph 4 of the General Assembly resolution.

3. It was generally felt that the time factor is vital, it is working against the victims, and to the advantage of the Serbs of Bosnia and Herzegovina with the support of the Yugoslav People's Army.

The above is particularly reflected in preambular paragraph 11 and paragraph 5 of the resolution.

In view of the above, I hope you and the distinguished members of the Security Council will find it appropriate, in the full spirit of the Charter, to take urgent action on General Assembly resolution 46/242, which represents the collective will of an overwhelming majority of the membership of the United Nations.

(Signed) Samir S. SHIHABI
President

UNITED NATIONS

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Security Council

Distr.
GENERAL

S/24518
4 September 1992
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 1 SEPTEMBER 1992 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government and further to the letter dated 25 August 1992 from the Permanent Representative of Iraq to the United Nations that was circulated in document S/24491, and with particular reference to paragraph 3 (f) thereof, I have the honour to transmit to you herewith the originals of the documents and stamps that were seized in the possession of the infiltrators in question. I am also sending two video tapes; one of the confessions of members of the sabotage network and one of an interview with some Iraqi prisoners registered with the International Committee of the Red Cross (ICRC) who were forced by the Iranian regime to work against their country. These are the original documents and items that, in his aforesaid letter, the Permanent Representative of Iraq undertook to transmit to you. 1/

The particulars of the documents are as follows:

I. Attachment I contains the following forged documents and identity papers:

1. An Iranian identity document in the name of Abd Attabi, No. 4413-A of 20/6/1370.

2. An Iranian identity document in the name of Abd al-Samad al-Sakini, No. 930/34-E of 15/1/1370.

3. An Iranian identity document in the name of Aqil Jib Nidal, No. 90 of 6/4/1370.

4. An Iranian identity document in the name of Fu'ad Musavi, No. 8750 of 30/3/1370.

1/ The originals of the documents and stamps and the two video tapes were received by the Secretary-General and may be consulted in room 3520-E.

5. An Iranian identity document in the name of Abd al-Samad Husayn Kanihar, No. 40566 of 15/3/1370.

6. An Iranian identity document in the name of Abd al-Nabi Ali, No. 2048-K of 1/6/1370.

7. An Iranian identity document in the name of Khalid Abbadi, No. 8420-A of 15/2/1371.

8. An Iranian identity document in the name of Ali Quraysh, No. 332-927-E of 3/1/1370.

9. An Iranian identity document in the name of Salim Ubaydi, No. 3180/6 of 3/1/1368.

10. An Iranian identity document in the name of Salim Nasif, No. 45073 of 4/2/1367.

11. An Iraqi civil status identity document in the name of Abd al-Samad Husayn Kanihar, No. 599241 of 16 December 1991.

12. An Iraqi civil status identity document in the name of Razkar Muhammad Salih, No. 630011 of 7 April 1989.

13. An Iraqi civil status identity document in the name of Saddam Khayr Allah, No. 38125 of 15 April 1992.

14. An Iraq Technical Institutes identity document in the name of Razkar Muhammad Salih bearing the number 612 and valid until 15 September 1992.

15. A laissez-passer in the name of Abd al-Jalil al-Husayni, No. 37449 of 3/8/1370.

16. A letter issued by the Islamic Centre for Political Studies, unnumbered and undated.

II. The eleven original stamps seized in the possession of the infiltrators.

III. Two video tapes; one of confessions by some members of the sabotage network sent by Iran and one of an interview with some Iraqi prisoners registered with ICRC who were forced by the Iranian regime to work against their country.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Samir K. K. AL-NIMA
Chargé d'affaires a.i.

UNITED NATIONS

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General Assembly Security Council

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GENERAL

A/47/420
S/24519
4 September 1992
ENGLISH
ORIGINAL: FRENCH

GENERAL ASSEMBLY
Forty-seventh session
Items 88 (b) and 97 (c) of
the provisional agenda*
SPECIAL ECONOMIC AND DISASTER
RELIEF ASSISTANCE: SPECIAL
PROGRAMMES OF ECONOMIC
ASSISTANCE
REPORT OF THE UNITED NATIONS HIGH
COMMISSIONER FOR REFUGEES, QUESTIONS
RELATING TO REFUGEES, RETURNEES AND
DISPLACED PERSONS AND HUMANITARIAN
QUESTIONS

SECURITY COUNCIL
Forty-seventh year

Letter dated 2 September 1992 from the Chargé d'affaires a.i. of the Permanent Mission of Senegal to the United Nations addressed to the Secretary-General

I am transmitting to you herewith two appeals made by His Excellency Mr. Abdou Diouf, President of the Republic of Senegal, in his dual capacity as current Chairman of the Organization of African Unity and current Chairman of the Organization of the Islamic Conference, to the Sovereigns and Heads of State and Government of the member countries of these two organizations, for emergency humanitarian assistance to the Somali people.

I should be grateful if you would have the text of this letter and its annexes circulated as official documents of the General Assembly, under items 88 (b) and 97 (c) of the provisional agenda of the General Assembly, and of the Security Council.

(Signed) Mame Balla SY
Chargé d'affaires a.i.

* A/47/150.

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ANNEX I

Appeal by His Excellency Mr. Abdou Diouf, President of the Republic of Senegal, current Chairman of the Organization of the Islamic Conference, to the Sovereigns and Heads of State and Government of the member countries of the Organization of the Islamic Conference for assistance to the Somali people

The civil war which is devastating Somalia was already capturing the attention of the Islamic Ummah at the last summit of the Organization of the Islamic Conference, held at Dakar in December 1991.

The international community as a whole has been mobilizing for the past several months in various ways to ensure that coordinated action is taken by the United Nations to provide every assistance to the Somali people, who are in the throes of a terrible fratricidal war which has already caused many innocent victims.

The Organization of the Islamic Conference has combined its efforts with those of other regional organizations in making its contribution to the quest for political solutions to the Somali crisis leading to a lasting peace which will ensure security within Somalia's borders.

At present, it is urgently necessary to mobilize technical, financial and other material resources to provide the Somali people, especially the children, women, elderly and invalids, with emergency supplies of food and medicines and care of various kinds, as part of the movement of international support for the Somali people which has manifested itself throughout the world.

As current Chairman of our organization, I am making a pressing appeal to each of the Sovereigns and Heads of State and Government of the member countries of the Organization of the Islamic Conference for the appropriate organization in each country of the Ummah of specific supportive actions to assist the Somali people, such as the dispatch to Somalia of food, medicines or any other donation capable of effectively reducing the suffering of the Somali people.

Each Sovereign or Head of State or Government of the Ummah who decides to join in this Islamic and international action of solidarity should inform the secretariat of the Organization of the Islamic Conference of the form and means of its contribution and the date on which it will begin.

I have no doubt that this appeal which I am making on behalf of the Islamic Ummah as a whole will unfailingly elicit from each of the Sovereigns and Heads of State or Government of the member countries a favourable response on a par with the Somali tragedy.

ANNEX II

Appeal by His Excellency Mr. Abdou Diouf, President of the Republic of Senegal, current Chairman of the Organization of African Unity, to the Heads of State and Government of the member countries of the Organization of African Unity for assistance to the Somali people

The civil war which is devastating Somalia has already captured the attention of Africa, in particular at the 28th summit of the Organization of African Unity.

The international community as a whole has been mobilizing for the past several months in various ways to ensure that coordinated action is taken by the United Nations to provide every assistance to the Somali people, who are in the throes of a terrible fratricidal war which has already caused many innocent victims.

The Organization of African Unity has combined its efforts with those of other regional organizations in making its contribution to the quest for political solutions to the Somali crisis leading to a lasting peace which will ensure security within Somalia's borders.

At present, it is urgently necessary to mobilize technical, financial and other material resources to provide the Somali people, especially the children, women, elderly and invalids, with emergency supplies of food and medicines and care of various kinds, as part of the movement of international support for the Somali people which has manifested itself throughout the world.

As current Chairman of our continental organization, I am making a pressing appeal to each of the Heads of State and Government of the member countries of the Organization of African Unity for the appropriate organization in each African country of specific supportive actions to assist the Somali people, such as the dispatch to Somalia of food, medicines or any other donation capable of effectively reducing the suffering of the Somali people.

Each African Government which decides to join in this African and international action of solidarity should inform the secretariat of the Organization of African Unity of the form and means of its contribution and the date on which it will begin.

I have no doubt that this appeal which I am making on behalf of Africa as a whole will unfailingly elicit from each of the Governments of the member countries a favourable response on a par with the Somali tragedy.

UNITED
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Security Council

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GENERAL

S/24520
4 September 1992
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 4 SEPTEMBER 1992 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF IRAQ TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit herewith the text of a letter dated 4 September 1992 from Mr. Mohammed Said al-Sahaf addressed to you concerning the Inter-Agency Humanitarian Programme in Iraq.

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Samir K. K. AL-NIMA
Chargé d'affaires a.i.

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Annex

Letter dated 4 September 1992 from the Minister for Foreign Affairs of Iraq addressed to the President of the Security Council

With reference to your note of 2 September 1992, concerning the Inter-Agency Humanitarian Programme in Iraq, and your letter dated 24 August 1992 to the Secretary-General on the same subject, I should like to inform you and the members of the Security Council of the following facts:

Firstly, Iraq was fully prepared to conclude a new agreement with Mr. Jan Eliasson, Under-Secretary-General for Humanitarian Affairs, which was consistent with the actual amount of emergency civilian assistance that the United Nations could provide to Iraq under the joint programme of the United Nations specialized agencies represented at Baghdad.

It is important that the actual amount of this programme, as reflected in the figures supplied by the delegation from the United Nations Secretariat, be made known so that everyone has a clear picture of the situation. The target figure for programme resources is $116,668,119.

In fact, actual commitments to date total only $12,866,675.

As you can see, then, a political and media campaign has been orchestrated by representatives of the United States of America, the United Kingdom and France in connection with what they refer to as the Humanitarian Assistance Programme for Iraq. Yet, this programme, allegedly designed to meet the emergency humanitarian needs of the Iraqi population, more than 18 million people, all of whom have been suffering from an unjust embargo for more than two years, has an actual budget of less than $13 million and a target budget, which is pure fiction, of under $117 million.

Nevertheless, in the course of our negotiations with Mr. Jan Eliasson during his visit to Baghdad from 17 to 21 August 1992, we suggested to him and to the delegation that accompanied him that a practical, dynamic programme for the provision of civilian assistance to Iraq which corresponded to the actual budget should be drawn up and that Iraq's priority needs should be identified jointly. We also put forward a number of practical proposals with a view to concluding a new agreement and implementing it.

We proposed that the competent Iraqi authorities should work with the specialized agencies of the United Nations and the Coordinator of the United Nations Programme to adapting the Programme to needs, in accordance with the priorities set by both parties, and that assistance should cover the following areas: food, medical care, treatment of drinking water, sanitation, education, social services and agriculture. We reiterated Iraq's readiness to ensure that those responsible for implementing the assistance programme had free access to operation sites. Furthermore, the Iraqi side, which is the

beneficiary of the assistance programme, would provide all necessary facilities in the field, namely: administration, housing, telecommunications links and security services in areas scheduled to receive assistance. This would be done throughout the course of operations in the various Governorates, after which programme staff would return to Baghdad.

We also agreed with Mr. Eliasson and his delegation that non-governmental organizations should be encouraged to participate in the implementation of assistance programmes provided for in the plan of work to be drawn up jointly by Iraq and the United Nations. The participation of each organization would be worked out in close collaboration with the United Nations, under the terms of collaboration existing between the United Nations and the non-governmental organization concerned and on the basis of the agreement to be concluded between the competent Iraqi authorities and the non-governmental organization in question. With regard to the presence of United Nations Guards in Iraq, we reminded Mr. Eliasson how the question had arisen, noting that the conditions which had prevailed over a year ago had changed, that life had returned to normal throughout the country and that, consequently, the presence of the Guards was no longer necessary. Moreover, the Iraqi authorities have responsibility for the safety and protection of the property of staff of the United Nations and its specialized agencies, except in certain areas of northern Iraq where there is no official Iraqi administration.

Notwithstanding the irrefutable evidence and facts presented to Mr. Eliasson, we accepted in principle the presence of 150 Guards in the northern areas of Iraq, where there is currently no official Iraqi administration, and four or five Guards at Programme headquarters in Baghdad.

Mr. President,

Any observer not motivated by political considerations must recognize the spirit of objectivity and cooperation which prevailed in the course of our efforts with Mr. Eliasson to reach a new agreement that would allow implementation of the assistance programme for Iraq to begin promptly and ensure that all necessary facilities were provided in a measure consistent with the magnitude of such assistance.

We reiterated to Mr. Eliasson that the door remained open to consultations between the two parties with a view to the conclusion of a new agreement, in keeping with the practical and realistic principle which we expressed to him. We also told him that we hoped he would take into consideration the important observations made by Mr. Tariq Aziz, Deputy Prime Minister, at their meeting on 21 August 1992, particularly with regard to the need to lift the unfair and illegitimate embargo imposed on the Iraqi people and Iraq's fully justified concern at the plans for an attack on the Iraqi people which the United States, the United Kingdom and France were concocting on specious grounds.

Secondly, your note of 2 September 1992 contains unclear and incorrect remarks concerning the safety of United Nations staff in Iraq. Accordingly, it would be useful to state the following:

Iraq assumes full responsibility for the safety of United Nations staff. This being said, security measures can only be effective if the movements of United Nations staff are closely coordinated with the competent Iraqi authorities. We explained this to Mr. Eliasson. Some in the United Nations, however, rejected this idea, arguing the need for free access. In practice, this means that United Nations personnel may move about anywhere without advising the competent Iraqi authorities. Yet how can their safety be ensured under these circumstances?

The Iraqi Government rejects all direct or indirect accusations made in the wake of threats made against United Nations personnel in the northern region. It is in fact the United States, the United Kingdom and France which control this region. Having styled themselves the protectors of the region, these countries seek simultaneously to evade their responsibility when incidents occur there: even as they use force to prevent the legitimate Iraqi authorities from being present in the region, they hold Iraq responsible for actions taken against United Nations staff there.

This position is all the more tendentious because we had warned the United Nations officials in charge that some parties loyal to the Western countries, together with officials of the Iranian regime and elements belonging to the armed Kurd groups protected by the three countries in question, sought to cause problems with the United Nations staff for the purpose of tarnishing Iraq's image and justifying the conspiracies against Iraq. Moreover, whenever the Iraqi authorities took steps to institute security and stability in the country, the Western countries opposed those steps and created disorder and anarchy. This was so in the north in the past and is now true of the south, where they have imposed an exclusion zone below the 32nd parallel, even though Iraqi aircraft confine themselves to reconnaisance operations, aimed at preventing infiltrations into Iraq from Iranian territory, and routine training exercises.

Mr. President, Iraqi citizens clearly feel resentment towards the United Nations staff, but nothing personal is meant. It is simply that the Iraqi people have had enough of the double standard and the iniquitous resolutions which are imposed on them in the name of the United Nations and an international pseudo-legality. The Iraqi people will feel well-disposed again only if the United Nations treats them in accordance with the principles of justice and equity under a true international legal order by lifting the embargo and desisting from attacks on their dignity and interventions into the internal affairs of their country.

I urge you to display justice and equity and to oppose those who, prompted by suspect political intentions, are seeking to misrepresent the facts and to provoke artificial crises by invoking fallacious humanitarian reasons with a view to again placing Iraq and its dignified and valorous people in the wrong.

What we are seeking from all the impartial members of the Security Council and the United Nations Secretariat is the lifting, in accordance with

the principles of law, justice and equity, of the unlawful, unjust and inhuman embargo to which all the Iraqi people have been subjected for the past two years.

Moreover, we have proposed that the programme of assistance, although modest, should be implemented on objective and practical terms that can ensure its success. But all who have ulterior political motives have engaged in obstructive behaviour and have prevented us from reaching agreement with Mr. Eliasson on the subject. Yet, all will not be lost if the current programme can, through cooperation between the two parties, be made to yield specific results.

Accept, Sir, the assurances of my highest consideration.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/24521
8 September 1992

ORIGINAL: ENGLISH

LETTER DATED 8 SEPTEMBER 1992 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to present to you the attached letter, dated 4 September 1992, from my President, Mr. Alija Izetbegovic.

May I ask for your kind assistance in circulating the letter as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador and Permanent Representative

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Annex

Letter dated 4 September 1992 from the President of the Republic of Bosnia and Herzegovina addressed to the President of the Security Council

I am writing to inform you that the aggression against Bosnia and Herzegovina continues, with intensified attacks in many areas. The latest massive offensive of the aggressor's forces against the town of Jajce and its surroundings is the most striking example.

Yugoslav army is destroying the town using its usual methods: indiscriminate bombing by heavy artillery and air strikes. Using inflammable projectiles, the aggressor brings about terrible suffering to the civilian population and destruction of property.

At the same time, a member of the Parliament of Serbia, and a leader of the ultra-nationalist paramilitary group the "Chetniks", Vojislav Seselj, has brought new military reinforcements from Serbia and Montenegro, to the region of Ilijas (near Sarajevo), occupied by the irregular Serb forces.

Obviously, the aggressor does not intend to respect any commitments it undertook in the presence of the representatives of the world community at the London Conference.

On behalf of the people and the Presidency of the Republic of Bosnia and Herzegovina, we urge you to use your influence in order to put an end to the suffering of innocent civilians and to make the aggressor comply with the adopted decisions.

Under the existing circumstances, Excellency, we cannot take part in any negotiations, for we do not accept to be deceived anymore by the aggressor.

(Signed) Alija IZETBEGOVIC

UNITED
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Security Council

Distr.
GENERAL

S/24522
8 September 1992

ORIGINAL: ENGLISH

LETTER DATED 4 SEPTEMBER 1992 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF ITALY TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit herewith the English and French text of the Communiqué issued on the occasion of the Extraordinary meeting of the Council of Ministers of the Western European Union, which took place in London on 28 August 1992.

I would be grateful if it could be circulated as a document of the Security Council.

(Signed) Mario SCIALOJA
Ambassador
Chargé d'affaires a.i.

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COMMUNIQUE

[Original: English/French]

EXTRAORDINARY COUNCIL OF MINISTERS
LONDON, 28 AUGUST 1992

1. The Foreign and Defence Ministers of WEU member States met in London on 28 August 1992 following the conclusion of the London Conference on former Yugoslavia. They expressed their firm conviction that the principles agreed at that Conference should provide the foundations for progress towards a peaceful and just resolution of the crisis in the former Yugoslavia. In particular, they reaffirmed the urgent necessity for the parties involved to cease the fighting and the use of force immediately and strictly respect the agreed cease-fires. They strongly urged all parties involved in the conflict to adhere to the principles through positive actions and to contribute effectively to the implementation of specific decisions also adopted by the London Conference.

2. Ministers noted and endorsed the contributions which WEU and its member States were already making and were prepared to make to bring peace to the former Yugoslavia:

Delivery of humanitarian assistance

The delivery of humanitarian assistance to the population of Bosnia-Herzegovina constitutes one of the most immediate requirements for establishing civilized conditions promoting a political solution. Ministers approved the planning carried out by WEU experts covering the protection of humanitarian convoys by military escorts. They welcomed the willingness of the United Nations Secretary-General to recommend to the Security Council that UNPROFOR operations in Bosnia-Herzegovina be enhanced to provide such escorts, and expressed the view that humanitarian operations and associated protective support should be organized by the United Nations. They underlined the collective will of the member States of WEU to contribute to such operations by military, logistic, financial and other means and decided to keep the United Nations informed from today of the details of such contributions. The Nine also decided to offer collectively today through the Presidency to the United Nations the results of WEU's planning. They asked the Ad Hoc Group and Contingency Planning Group to elaborate further the necessary planning.

Supervision of heavy weapons

Ministers underlined the importance of the supervision of heavy weapons in Bosnia-Herzegovina in the overall peace process and for alleviating the suffering of the population. The Ministers welcomed the Conference's

decision that all mortars and heavy weapons in Bosnia-Herzegovina would be subject to international supervision and, as a first step, notified to the United Nations within 96 hours, as a prelude to their disengagement from the conflict. WEU member States are willing to contribute to carrying out supervision operations under the overall responsibility of the United Nations and in coordination with the CSCE and other organizations. Ministers took note of the planning undertaken by WEU experts and decided to make it available through the Italian Presidency to the United Nations Secretary-General, the Chairman-in-Office of the CSCE and the Secretary-General of NATO.

Strengthening the embargo

Ministers noted the success of Operation "Sharp Vigilance" to monitor the embargo in the Adriatic. They agreed that strengthening the effectiveness of the embargo established by United Nations Security Council resolutions 713 and 757 would be an important means of promoting a political solution to the crisis in former Yugoslavia. They welcomed the conclusions of the London Conference and expressed the willingness of WEU member States to contribute to any further measures necessary to make the embargo as effective as possible. Member States of WEU could, if requested, offer expertise, technical assistance and equipment to the governments of the Danube riparian states to prevent the use of the river Danube for the purpose of circumventing or breaking the sanctions imposed by United Nations Security Council resolutions 713 and 757. They also support the call by the London Conference to the Security Council to consider further measures to ensure rigorous implementation of sanctions in the Adriatic. They also decided that the Ad Hoc Group should continue its work in this field.

3. Ministers decided that the Italian Presidency would continue to ensure a full exchange of information and the necessary coordination with the other organizations involved (United Nations, European Community, NATO and CSCE).

UNITED NATIONS

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Security Council

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S/24523

8 September 1992
ENGLISH
ORIGINAL: RUSSIAN

LETTER DATED 8 SEPTEMBER 1992 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF THE RUSSIAN FEDERATION TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the text of the final document of the meeting in Moscow between the President of the Russian Federation, Mr. B. N. Yeltsin, and the President of the State Council of the Republic of Georgia, Mr. E. A. Shevardnadze, on 3 September 1992.

At the request of the Minister for Foreign Affairs of the Russian Federation, Mr. A. V. Kozyrev, and the Minister for Foreign Affairs of the Republic of Georgia, Mr. A. D. Chikvaidze, I should like to ask that you have this text circulated as an official document of the Security Council, bearing in mind that article 12 contains an appeal by the parties to the United Nations for support for the principles of settlement set out in the final document and for assistance in their implementation, including the dispatching of fact-finding missions and observers.

(Signed) Valentin V. LOZINSKIY
Chargé d'affaires a.i. of
the Permanent Mission of the
Russian Federation to the United Nations

Annex

[Original: Russian]

The President of the Russian Federation and the President of the State Council of the Republic of Georgia,

Having considered, with the participation of the leaders of Abkhazia and the North Caucasian republics, territories and regions of the Russian Federation, the situation in Abkhazia,

Seeking an immediate cease-fire, a solution to the crisis and the creation of conditions for a comprehensive political settlement in Abkhazia, which has become an area of military conflict,

Reaffirming their commitment to the spirit and the letter of the Charter of the United Nations, the principles of the Final Act of the Conference on Security and Cooperation in Europe, the Paris Charter for a New Europe and the Helsinki Declaration of 1992,

Considering inadmissible any infringement of the universally recognized principles of the territorial integrity of States and the inviolability of borders,

Respecting human rights and freedoms as well as the rights of national minorities,

Have agreed as follows:

Article 1

The territorial integrity of the Republic of Georgia shall be ensured.

All armed formations taking part in the conflict shall cease their fire and all use of force against each other as of 5 September 1992 at noon. Prior to the entry into force of the cease-fire, the parties to the conflict shall undertake to refrain from any offensive actions.

A Monitoring and Inspection Commission, composed of representatives to be appointed by the authorities of Georgia, including Abkhazia, and Russia, shall be established immediately. The Commission shall ensure compliance with the cease-fire and with other provisions of this agreement, in accordance with the procedures to be elaborated by it.

In order for the Commission to function, members shall assign to it appropriate units to carry out disarmament, disbanding and withdrawal from Abkhazia and to prevent illegal armed formations and groups from entering Abkhazia, in order to maintain the entire conflict zone perimeter under strict control.

Once the cease-fire is in force and troops have been deployed, the Commission shall ensure that the armed forces of the Republic of Georgia present in the conflict zone do not exceed the agreed level required for the purposes of this agreement (protection of the railway and certain other installations).

Recommendations by the Commission shall be given immediate consideration by the authorities at all levels.

Article 2

Until 10 September 1992, exchanges of detainees, hostages, prisoners and others shall take place in accordance with the principle "all for all".

Article 3

The Parties shall prohibit and prevent all terrorist acts or the taking of hostages and shall take effective steps to bring the perpetrators to justice.

Article 4

Measures shall be taken promptly to remove any impediment to the free movement of goods and services and of persons engaging in lawful activities. The smooth and uninterrupted operation of land, air and sea communications and the protection of borders shall be ensured accordingly. Particular emphasis shall be placed on guaranteeing the security of relevant segments of the Transcaucasian railway through the establishment of a joint mechanism.

The Monitoring and Inspection Commission shall submit the requisite recommendations on this subject.

Article 5

Conditions shall be created for the return of refugees to their permanent homes. Refugees will be provided with the necessary relief and assistance.

Steps will be taken to search for persons who have disappeared and to evacuate those wishing to leave Abkhazia.

Article 6

Effective measures shall be taken within the conflict zone to halt and prevent acts of violence and looting and to bring perpetrators to justice.

Article 7

The Parties shall take steps to rehabilitate affected regions and to ensure that humanitarian assistance, including international assistance, is made available to the population affected by the conflict. The Red Cross, in consultation with the Monitoring and Inspection Commission, shall identify the procedure for the delivery and distribution of relief.

Article 8

The Parties reaffirm the need to respect international standards in the area of human rights and national minorities, to prevent discrimination based on nationality, language or religion and to hold free democratic elections.

Article 9

The armed forces of the Russian Federation which are temporarily located in the territory of the Republic of Georgia, including Abkhazia, shall remain strictly neutral and shall not take part in internal disputes.

All authorities and administrative entities in the Republic of Georgia, including Abkhazia, agree to respect the neutrality of the Russian armed forces deployed in the territory and to halt immediately all unlawful acts committed by soldiers, members of their families and military property.

Article 10

The Parties shall assist the legitimate authorities in Abkhazia to resume their normal functions by 15 September 1992.

Article 11

The authorities and administrative entities of the North Caucasian republics, regions and territories which form part of the Russian Federation shall take effective measures to halt and prevent all acts waged from their territory that are in violation of the provisions of this agreement. They shall promote respect for this agreement and the restoration of peace in the region. They shall take all necessary steps to explain the provisions of this agreement to the population.

Article 12

The Parties appeal to the United Nations and to the Conference on Security and Cooperation in Europe to support the principles of settlement set out above and to promote respect for them, particularly by sending fact-finding missions and observers.

Moscow, 3 September 1992

FOR THE RUSSIAN FEDERATION

FOR THE REPUBLIC OF GEORGIA

Have agreed

G. S. Khizha
A. V. Kozyrev
P. S. Grachev
A. M. Mirzabekov
M. M. Magomedov
B. M. Kokov
K. M. Karmokov
V. N. Saveliev
V. I. Khubiev
S. V. Khetagurov
A. K. Galazov
A. A. Dzharimov

V. G. Ardzinba
V. I. Zarandia
T. Nadareishvili

T. I. Sigua
T. K. Kitovani
A. D. Chikvaidze
A. K. Tleuzh
V. N. Diakonov
E. S. Kuznetsov
V. F. Choub

UNITED
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Security Council

Distr.
GENERAL

S/24524
8 September 1992

ORIGINAL: ENGLISH

LETTER DATED 3 SEPTEMBER 1992 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF THE FEDERAL REPUBLIC OF YUGOSLAVIA ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I am writing to you in reply to the allegations contained in the letter of 21 August addressed by the President of the Republic of Bosnia and Herzegovina, Mr. Alija Izetbegovic to the President of the Security Council, published as the document of the Security Council No. S/24499 of 28 August 1992, labelling the Federal Republic of Yugoslavia without any grounds as the "aggressor" and accusing it of violating the relevant Security Council resolutions and cease-fire agreements and of shelling the towns in Bosnia and Herzegovina.

We most resolutely reject once again Mr. Izetbegovic's charges against the Federal Republic of Yugoslavia regarding the purported involvement of the Yugoslav Army in the fighting in Bosnia and Herzegovina, especially his very transparent and ill-intentioned allegations of the bombing of Bosnian targets by the Yugoslav Air Force. The underlying motivation of such letters from representatives of the Bosnian Government is not the desire to promote peace and to end tragedy in the region. On the contrary, the Bosnian Government is seeking to further stir up the conflict there, with a view to getting, by all means, outside factors involved, as they have repeatedly publicly stated.

We reiterate once again that the Federal Republic of Yugoslavia withdrew all its military forces from Bosnia and Herzegovina on 21 May 1992 and that it is doing its utmost to prevent any military or other activities which might be directed against Bosnia and Herzegovina.

Through its highest representatives and in letters to the Secretary-General of the United Nations and the President of the Security Council, the Yugoslav Government has repeatedly indicated its willingness and desire that United Nations personnel be deployed in its territory (at airports and along frontiers) to investigate first hand those false allegations, but so far, we have received no reply.

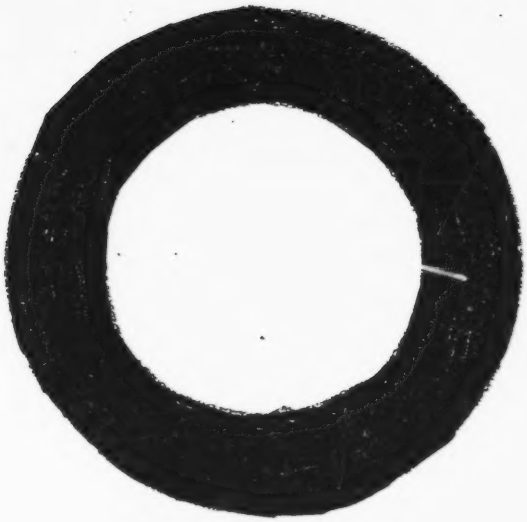
Accordingly, the Government of the Federal Republic of Yugoslavia invites again representatives of the United Nations to come to Yugoslavia and see for themselves that the allegations of Mr. Izetbegovic regarding the Yugoslav air force missions in Bosnia and Herzegovina flown from the airports located in the Federal Republic of Yugoslavia, are untrue.

We consider that the deployment of United Nations observers at airports within the Federal Republic of Yugoslavia would significantly contribute to establishing the truth and renouncing, on the basis of the first-hand information, allegations used in the propaganda campaign run by the Bosnian Government.

This would also help provide the world public with accurate information in such and similar situations and present a true picture of the efforts the Federal Republic of Yugoslavia is making to achieve peace and bring an end to the civil war in Bosnia and Herzegovina through dialogue and by agreement of all three peoples living there.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires a.i.



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GENERAL

S/24525
8 September 1992

ORIGINAL: ENGLISH

LETTER DATED 4 SEPTEMBER 1992 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Acting under paragraph 5 of resolution 771 (13 August 1992) where the Security Council "calls upon States ... to collate substantiated information in their possession or submitted to them relating to the violations of humanitarian law, including grave breaches of the Geneva conventions, being committed in the territory of the former Yugoslavia and to make this information available to the Council;".

I have the honour to present to you the attached report "Rape by Order: Bosnian Women Terrorized by Serbs", written by Mr. Roy Gutman and published by the New York Newsday on 23 August 1992. Mr. Gutman's reports have been widely distributed and used as a source for subsequent reports by the international humanitarian organizations.

Mr. Gutman has expressed strong willingness to present his findings related to this report and to many other widely read reports to the Security Council and the Secretary-General, collectively or individually.

May I ask for your kind assistance in circulating the report as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador and Permanent Representative

Annex

BOSNIAN WOMEN TERRORIZED BY SERBS

By Roy Gutman - European Correspondent

TUZLA, Bosnia-Herzegovina, Serb forces in northern Bosnia systematically raped 40 young Muslim women of a town they captured early this summer, telling some of their victims they were under orders to do so, the young women say.

Statements by victims of the assault, describing their ordeal in chilling detail, bear out reports that the Serb conquerors of Bosnia have raped Muslim women, not as a byproduct of the war but as a principal tactic of the war.

"We have orders to rape the girls", Mirsada, 23, one of 20 young victims interviewed by New York Newsday, said the young man who abducted her told her. He said he was "ashamed to be a Serb" and added that "everything that is going on is a war crime", she said.

Hafiza, also 23, said she sought to dissuade the soldier who raped her. "I tried crying and begging" she said. "I said, 'You have a mother and a sister, a female in the family.' He said nothing. He didn't talk. Then he said 'I must. I must.' I said, 'You must not, if you don't want to.'" But she was unable to stop him.

The incident involved 40 young women from Brezovo Polje, a small town on the Sava River, where conquering forces marched in, seized all the civilians, and dispatched them according to age and gender to their assigned fate.

The rape victims were interviewed in a refugee center, their only refuge after the destruction of their homes, their families and the basis of their economic survival. They agreed to be quoted and photographed, provided they were identified only by first name and age.

"We want the world to know about our truth. All mothers. All women", said Senada, 17, who wrote a statement by hand and gave it to the chief gynecologist at Tuzla Hospital with the request she pass it on to New York Newsday. "I wouldn't want anyone else to have the same experience. It is worse than any other punishment in the world."

The Brezovo Polje episode is only one of a number of indications of a pattern of systematized rape during the Serb conquest of Bosnia.

In separate interviews in Tuzla, four young women from the village of Liplje, near Zvornik, said their Serb captors had detained them in a makeshift bordello where three or more men raped them every night for 10 nights. A leading Bosnian women's group charged that upward of 10,000 Bosnian women are currently being held in Serb detention camps where their captors rape them repeatedly, though that has not been independently confirmed. Another pattern is the rape of pregnant women and some middle-aged women.

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Dr. Melika Kreitmayer, leader of the gynecological team that examined 25 of the 40 victims from Brezovo Polje, said she and her colleagues are convinced that the object of the rapes was "to humiliate Muslim women, to insult them, to destroy their persons and cause shock."

"These women were not raped because it was the male instinct. They were raped because it was the goal of the war", she said. "My impression is that someone had an order to rape the girls."

She cited as proof that some young women said they had been taken to a house and not raped, but were instructed to tell others that they had been raped.

Kreitmayer, who is of Muslim origin and whose team includes a Serb and Slovene doctor, made those assertions without any sign of objection from colleagues. "We are shocked by what we have heard," commented her Serb colleague, Dr. Nenad Trifkovic.

According to the young women, the rapists discussed the assaults with their victims as a mission they had to accomplish. Many of the men fortified their resolve by taking white pills, the women said. The men's claim they were operating under orders was reinforced when a new group of irregular forces arrived that owed its allegiance to one of the most savage of the warlords, Vojislaav Seselj, a militant nationalist from Sarajevo. The leaders of the original group tried to protect the women of Brezovo Polje from the Seselj followers, the women indicated.

"'Don't worry. The girls have been raped once,'" Zlata, 23, recalled one of the officers as telling the Seselj followers.

According to the victims, preparations for the mass rape began early on the morning of June 17, when Serb soldiers in army uniforms and masks piled out their minivans and rounded up the Muslims of Brezovo Polje for "ethnic cleansing".

They loaded the able-bodied men from 18 to 60 onto buses and sent them "for interrogation" to Luka, a notorious, Serb-run detention camp in nearby Brcko, where nine in 10 prisoners were slaughtered, according to a survivor interviewed by New York Newsday.

Then they packed about 1,000 women, children, and old people into eight buses, drove them around the countryside for two days and held them under armed guard for four terrifying nights without food or water in a parking lot in the nearby town of Ban Brdo, the victims said. Serb soldiers returning from the front invaded the buses every night and led off women and girls to an unknown location at knifepoint, recalled Senada, 17. "They threw them out in the morning, and their clothes were torn, and they were covered with blood", she said.

Finally the group arrived in Caparde, where about 50 Serb irregulars, bearded followers of a warlord named Zeljko Arkan, robbed the mothers and forcibly separated them from their daughters. The mothers were taken by bus and deposited in a war zone. Meanwhile, in the Osnovo furniture warehouse in Capaerde, where the daughters were held, the men, mostly with long beards in the style of the World War II Serbian royalist force known as the Chetniks, selected what one of the rapists said were the 40 prettiest young women and raped them in groups of 10.

Hajrira, 21, said she asked Dragan, the man who raped her, why they were doing it. "He said we are the cleanest convoy that passed Caparde, the prettiest and most attractive, and that they wouldn't let us pass because we are so beautiful."

The victims are aged 15 to 30, wi*h careful dress and gentle manners.

"They would come by and tap us on the shoulder," recalled Herija, 21, another victim. "They told everyone else that we had gone to 'fetch water'. Some of the girls came back two hours later. Some the next morning. And each of them sat down and cried" she said.

The mothers arrived in Tuzla on June 23, distraught about their missing daughters and traumatized by the journey, which began with another bus ride and ended with a forced 12-mile walk through a war zone on a road littered with human corpses.

Their daughters arrived four days later, after a forced walk across a mined road with number of elderly people of whom died en route, they said.

The young women were exhausted and in a state of shock, doctors said. Most, according to the gynecological team later examined them, had vaginal infections of staphylococcus and other bacteria that originate in dirt or fecal matter.

Almost every one of 20 women interviewed by New York Newsday reported that the men who raped them were filthy and smelly, and, in some cases, bloody.

The health and psychological stresses upon the young women of Prezovo Polje are only part of their tragedy, for each of Brezovo Polje are only part of their tragedy, for each is missing a father or a brother. Few of the women have anywhere to go, and the rapes have shaken their confidence. Almost every one broke into tears as she talked over several days to this reporter.

Their trauma is not over, for Kreitmayer noted, many of them may be pregnant. The hospital will provide hormonal drugs to induce abortion, she added.

The deepest hurt seems to be moral shame. These women from the countryside, where premarital sex is prohibited, and Kreitmayer confirmed that all but one had been virgins. Most of them think they have been ruined. "We

all feel that we lost everything," said Heira, 25, "... Every woman, if she is raped, has to feel the same."

Satka, 20, said she despised the man who raped her because "he had no feeling for me. I wasn't his girlfriend. It was savagery." She said she felt shame because "I was an honest girl. I was a virgin. I gave it to someone who didn't deserve it. Someone whom I love deserves it. But not a savage."

Several pregnant women who were raped were so shattered that they asked to have their babies aborted.

Kreitmayer said one nurse from Brezovo Polje had lost her mother, father, husband, and 4-year-old child "in front of her eyes". The woman told doctors the Serb conquerors decided not to kill her but brought her to their military hospital. "She worked everyday for them but every night she was raped. She was sick. She was desperate. She told them she was between two and three months pregnant. But it meant nothing for them", Kreitmayer said.

For young women of Brezovo Polje, shame alternates with anger. Each time this reporter returned to the school where they are living, a large group of victims joined in the discussion. Rape has been so rare over the years in Bosnia that there are few professional counselors, and Kreitmayer said this was the first appearance of mass rape and aggression toward women.

The victims say that right now they would like to be anywhere but in Bosnia. Most say that once they leave, they do not plan to return ever again.

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POLICIES OF APARTHEID OF THE
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REVIEW OF THE IMPLEMENTATION OF
THE DECLARATION ON THE
STRENGTHENING OF INTERNATIONAL
SECURITY

SECURITY COUNCIL
Forty-seventh year

Letter dated 4 September 1992 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

The European Economic Community Troika of Foreign Ministers, composed of the Foreign and Commonwealth Secretary of the United Kingdom of Great Britain and Northern Ireland and the Foreign Ministers of Portugal and Denmark, visited South Africa on 2 and 3 September 1992. Security Council resolution 772 (1992) invited international organizations, including specifically the European Community, to consider deploying observers in South Africa in coordination with the United Nations. Mr. Hurd announced at a press conference in Pretoria on 3 September that the parties had accepted the European Economic Community's offer to send observers to South Africa to be associated with the structures of the National Peace Accord, as part of efforts to end the violence. Initially, approximately 15 European Economic Community observers are likely to be sent. It is very much our intention they should work in close coordination with the United Nations and with other international organizations and with the structures set up under the National Peace Accord as provided in Security Council resolution 772 (1992). We therefore look forward to their working closely with the observers being sent by the United Nations.

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* A/47/150.

In addition, the Troika discussed with Judge Goldstone the work of his Commission and in response to his request agreed to consider the secondment of a small number of experts to assist with his proposed independent investigation task forces. Reference to this was also made in Mr. Hurd's statement.

I should be grateful if the present letter could be circulated as an official document of the General Assembly, under items 33 and 69 of the provisional agenda, and of the Security Council.

(Signed) D. H. A. HANNAY